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10 UNITED STATES DISTRICT COURT - NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

12 AVEMCO INSURANCE COMPANY,

CASE NO.: 4:11-cv-00546-CW

13 Plaintiff.

14 **STIPULATION AND [PROPOSED]
 15 ORDER REGARDING MEDIATION
 16 DEADLINE FOR DECLARATORY
 17 ACTION**

18 vs.

19 ROBERT S. SAVELY, PATRIOT
 20 TECHNOLOGIES GROUP, LLC, a Delaware
 21 limited liability corporation,

22 Defendants.

23 IT IS HEREBY STIPULATED by and between Plaintiff AVEMCO INSURANCE
 24 COMPANY (hereinafter "Plaintiff" or "AVEMCO") and Defendant ROBERT S. SAVELY
 25 (hereinafter "SAVELY") (collectively the "Parties") by and through their respective attorneys, as
 26 follows:

- 27 1. On February 4, 2011 Plaintiff filed a Complaint for Declaratory Relief in United
 28 States District Court-Northern District of California, Case Number CV 11 0546 CW (hereinafter
 the "Complaint") against PATRIOT TECHNOLOGIES GROUP, LLC (hereinafter "PATRIOT")

1 and SAVELY. The Complaint asked that the Court to determine the respective rights and duties
2 of Plaintiff and Defendants as to AVEMCO policy NC-100118290600.

3 2. On April 13, 2011 Defendant PATRIOT signed a Stipulation Regarding
4 Declaratory Action, wherein it stipulated to the allegations in Plaintiff's Complaint and
5 stipulated that it had no rights under the Avemco policy. On April 15, 2011, Plaintiff filed a
6 Notice of Dismissal of PATRIOT, only.
7

8 3. On May 31, 2011, the Parties attended a Case Management Conference. The
9 Court issued its Minute Order and Case Management Order.

10 4. The Court referred the case to Court-connected mediation to be held by December
11 1, 2011.
12

13 5. The Parties are presently engaged in discovery and require additional time to
14 prepare for and attend mediation.

15 6. Based on the above, the Parties respectfully request that the Court continue the
16 deadline for mediation (currently December 1, 2011) to April 1, 2012. We have informed the
17 mediator about the extension and he has instructed us to state he has no objection to a stipulated
18 extension.
19

20 IT IS SO STIPULATED:

21 Dated: November 7, 2011

22 REID, AXELROD

23 By: /s/ Donald S. Honigman

24 Donald S. Honigman, SB# 106914

25 Peter Axelrod, SB# 056485

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Attorneys for Plaintiff
AVEMCO INSURANCE COMPANY

Dated: November 7, 2011

THE RYAN LAW GROUP

By: /s/ Timothy J. Ryan
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Attorneys for Defendant

ROBERT S. SAVELY

ORDER

IT IS HEREBY ORDERED that the deadline for mediation is continued to April 1, 2012.

IT IS SO ORDERED.

DATED: 11/17/2011



CLAUDIA WILKEN
United States District Judge

cc: ADR